

Dec.  
2nd

IN THE DISTRICT COURT OF UTAH COUNTY

STATE OF UTAH

-----  
PROVO RESERVOIR COMPANY, )

Plaintiff, )

vs )

PROVO CITY...DAVID LONG,  
et al, )

Defendants. )  
-----)

MOTION OF DAVID LONG  
and  
NOTICE OF MOTION

Civil No. 2888

David Long, one of the defendants in the above action, moves the Court as follows:

To transfer the matter now pending before the above court, involving David Long and other various parties who claim interest in the waters of Birch Creek and Bunnell's Fork, and the adjudication of the flow of portions of the South Fork of the Provo River, to the District Court in and for Salt Lake County, Utah, since there is now pending before that court a general adjudication suit covering the waters of Utah Lake and its tributaries, and both of said above streams of water are tributary to Utah Lake, and therefore this court is without power to proceed apart from the general adjudication suit above mentioned, it therefore being necessary to transfer the above mentioned action to be adjudicated as a part of the above mentioned general adjudication suit.

Dated November 9, 1960.

CLYDE & MECHAM

By Edward W. Clyde  
Edward W. Clyde  
Attorneys for Defendant David Long  
351 South State Street  
Salt Lake City, Utah

NOTICE OF MOTION

To: Joseph Novak, Richard Boyle and Robert Porter, attorneys for interested parties:

Please take notice that the undersigned will bring the above motion

on for hearing before this court at the courtroom thereof in the Courthouse at Provo, Utah, on the 2 day of <sup>December</sup>~~November~~, 1960, at 10:00 o'clock A. M., or as soon thereafter as counsel can be heard.

CLYDE & MECHAM

By

E. Clyde

Edward W. Clyde

Attorneys for Defendant David Long  
351 South State Street  
Salt Lake City, Utah

Copy of the foregoing ~~motion~~ and notice of motion mailed this 25 day of November, 1960, to Joseph Novak, Esq., attorney at law, 623 Continental Bank Building, Salt Lake City, Utah; Richard R. Boyle, Esq., Assistant Attorney General, State Capitol, Salt Lake City, Utah; and Robert D. Porter, attorney at law, 1407 West North Temple Street, Salt Lake City, Utah.

P. H. F. Whit

2888  
FOURTH JUDICIAL DISTRICT COURT OF  
THE STATE OF UTAH  
IN AND FOR UTAH COUNTY

**FILED**

NOV 28 1960

MARK F. BOYAGK, Clerk  
*Sam J. [Signature]* Deputy